

**RESOLUTION NO. 86-61**

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA, RELATING TO  
PREVIOUS RESOLUTION OF THE BOARD AS TO THE  
SALE OF ALCOHOLIC BEVERAGES IN CERTAIN AREAS**

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WHEREAS, the BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, passed on February 28, 1957, a Resolution relating to zoning of certain areas against the sale of alcoholic beverages in certain areas and under certain conditions; and

WHEREAS, said Resolution, among other things, prohibited the sale of alcoholic beverages within 3000 feet distance from an established alcoholic beverage vendor; and

WHEREAS, the passage of said Resolution was at a time when St. Johns County was not totally zoned; and

WHEREAS, at the present time the effect of the proximity of a new vendor's place of business to an existing vendor and to the surrounding neighborhood in general will be considered by the St. Johns County Planning and Zoning Board on an application to them for a zoning exception; and

WHEREAS, MARGARETT A. TREKELL & JOHN T. TREKELL, are the owners and operators of a motel complex at 245 Vilano Road, Vilano Beach, St. Augustine, Florida, legally described in Exhibit "A" attached to this Resolution and by this reference made a part hereof; and

WHEREAS, MARGARETT A. TREKELL & JOHN T. TREKELL, desire to file an application for a zoning exception for the sale of alcoholic beverages as a part of the operation of the motel and/or a restaurant to be located on the said motel premises; and

WHEREAS, an application for zoning exception to permit the sale of alcoholic beverages at the said property which is in an existing Commercial General (B) zoning district will not be accepted because of

the hereinbefore described Resolution passed on February 28, 1957.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, IN REGULAR AND LAWFUL SESSION, AS FOLLOWS:

SECTION ONE: The Resolution of this BOARD relating to prohibiting the establishment of an alcoholic beverage vendor within 3000 feet of an existing vendor shall not prohibit the filing and processing of the application of MARGARETT A. TREKELL & JOHN T. TREKELL, or their tenant or successor in interest, for an exception to permit a facility for retail sale of all alcoholic beverages for either on or off premises consumption on the property described in Exhibit "A" attached to this Resolution, which is in an existing "Commercial General (B)" Zoning District, and the issue as to whether to waive the effect of said Resolution shall be considered and decided by the Zoning Board in the formal hearing on the zoning exception application of MARGARETT A. TREKELL & JOHN T. TREKELL, of their tenant or successor in interest, before the ST. JOHNS COUNTY PLANNING AND ZONING AGENCY, and if appeared, by this BOARD.

SECTION TWO. This Resolution shall apply only to the above-designated zoning application and property.

SECTION THREE. This Resolution shall become effective upon its passage.

PASSED AND ADOPTED THIS 27 day of May, A.D, 1986.

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

BY: Francis N. Brubaker  
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

BY: Cheryl Kent  
Deputy Clerk

EXHIBIT "A"

LEGAL DESCRIPTION

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That certain piece, parcel or tract of land situate, lying and being in the County of St. Johns and State of Florida, more particularly described as follows:

Lots 7 through 25, inclusive, of Block 2; and Lot 1 and the West 15' of Lot 2, of Block 3, also all that certain un-named Street lying between said Blocks 2 and 3; all of VILANO BEACH, UNIT A, according to the map thereof recorded in Map Book 4, page 48, public records of St. Johns County, Florida; Also, a perpetual right, privilege and easement to connect with the sewer on the strip of land North of and adjoining the above described lands for the use of said lands; TOGETHER with all personal property located on said real estate AND TOGETHER with all rights reserved to JET Developers, Inc. under that certain Collateral Agreement dated April 13, 1983, and recorded on June 6, 1983, in O. R. Book 587, page 393, public records of St. Johns County, Florida.

LESS AND EXCEPT that portion of Lots 7 and 8, Block 2, VILANO BEACH, Unit A, according to plat thereof recorded in Plat Book 4, page 48, of the public records of St. Johns County, Florida, conveyed on April 13, 1983, by deed recorded on June 6, 1983, in O. R. Book 587, page 386, public records of St. Johns County, Florida.

LESS AND EXCEPT the portion thereof conveyed in Warranty Deed dated September 1, 1984, recorded in O.R. Vol. 655, pg 169, public records of St. Johns County, Florida.